

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:11CR253-RJC-DCK**

UNITED STATES OF AMERICA)
)
 v.)
)
 NAZIM HOSEIN,)
)
 Defendant.)
 _____)

ORDER

THIS MATTER is before the Court on the letter received February 14, 2012 from Defendant (document #28) to the Court requesting new counsel. The Court conducted a hearing on this matter on February 24, 2012.

Having fully considered the arguments, the record, and the applicable authority, the Court finds that there is no basis for removal of counsel for Defendant, as discussed below.

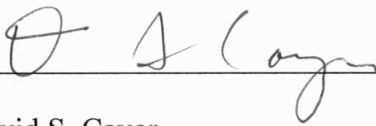
At the hearing, Defendant expressed concerns regarding the impact of a possible conviction on his immigration status. He also questioned the disposition of two pro-se Motions that he filed prior to defense counsel Richard Tomberlin's appointment. Tomberlin stated that he has advised Defendant that he is likely to be deported if convicted on the pending charges. The Court explained to Defendant that Tomberlin has advised him regarding likely immigration consequences and he should take this advice into consideration when deciding whether to plead guilty or go to trial. The Court also explained that deportation is a civil proceeding and Tomberlin has not been appointed to represent Defendant on any immigration matters. District Judge Robert J. Conrad, Jr. denied Defendant's pro-se Motions on November 8, 2011 (document #16). Defendant also raised questions about various provisions of the United States Code. The Court advised Defendant to address those questions to Tomberlin.

Based on the above facts, the Court does not find that there is a sufficient basis for removal of counsel for Defendant.

The Clerk is directed to send copies of this Order to counsel for the parties; and to the Honorable Robert J. Conrad, Jr.

SO ORDERED.

Signed: February 24, 2012

A handwritten signature in black ink, appearing to read "D S Cayer", is written over a horizontal line.

David S. Cayer
United States Magistrate Judge

